

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT, LAW DIVISION

EUGENE I. PAVALON and  
LOIS PAVALON,

Plaintiffs,

vs.

MARRIOTT INTERNATIONAL, INC.,  
a foreign corporation, and THE RITZ-  
CARLTON HOTEL COMPANY, L.L.C., a  
foreign corporation,

Defendants.

No.

JURY DEMAND

2016L009823  
CALENDAR/ROOM A  
TIME 00:00  
Premises Liability

FILED  
2016 SEP 27 PM 12:33  
CLERK OF COURT  
LAW DIVISION

COMPLAINT AT LAW

Count I  
(Premises Liability)

NOW COMES the Plaintiff, EUGENE I. PAVALON, by his attorneys, PAVALON &  
GIFFORD and HARRY C. LEE, and complaining of the Defendants, MARRIOTT  
INTERNATIONAL, INC., and THE RITZ-CARLTON HOTEL COMPANY, L.L.C., states as  
follows:

1. The Plaintiff, EUGENE I. PAVALON, is a resident of the City of Chicago,  
County of Cook, State of Illinois.
2. The Defendant, MARRIOTT INTERNATIONAL, INC., is an American  
multinational diversified hospitality company that manages and franchises a broad portfolio of  
hotels and related lodging facilities, including hotels and facilities in Cook County.



3. The Defendant, THE RITZ-CARLTON HOTEL COMPANY, L.L.C., is a subsidiary of the Defendant, MARRIOTT INTERNATIONAL, INC., which operates luxury hotels and resorts in major cities, including Chicago, Illinois, and resorts, in various countries and territories around the world, including The Ritz-Carlton Herzliya, located at 4 Hashunit Street, Herzliya, Israel.

4. On or about September 10, 2015, the Plaintiff, EUGENE I. PAVALON, made travel arrangements, including hotel arrangements, through the RexTravel agency in Chicago, Illinois for his planned 2015 visit to Israel. The hotel arrangements included a scheduled stay during the month of October, 2015, at Defendants' spa and resort in Herzliya, Israel, The Ritz-Carlton Herzliya.

5. On or about October 24, 2015, the Plaintiff, EUGENE I. PAVALON, was an overnight customer and invitee at The Ritz-Carlton Herzliya.

6. As owner, occupier, possessor, and/or operator of The Ritz-Carlton Herzliya, the Defendants, MARRIOTT INTERNATIONAL, INC., and THE RITZ-CARLTON HOTEL COMPANY, L.L.C., were in control of the premises and had a duty to use reasonable care to maintain the premises in a reasonably safe condition against foreseeable risks of harm.

7. On or about October 25, 2015, while the Plaintiff, EUGENE I. PAVALON, was stepping into the marble floored shower located in the room he rented at The Ritz-Carlton Herzliya, he slipped on the wet marble surface in and outside the shower and fell backwards, striking his head, shoulder, pelvis and leg on the marble floor, thereby sustaining serious personal injuries.

8. The subject shower at The Ritz-Carlton Herzliya did not contain any shower mat or nonskid surface, nor was the floor otherwise of a quality or character to provide a safe surface upon which to safely shower, nor was there any obvious hand hold for those wishing to shower.

9. The Plaintiff EUGENE I. PAVALON's fall was the result of an unreasonably dangerous condition on Defendants' premises, for which there was no warning to persons such as the Plaintiff.

10. The Defendants, MARRIOTT INTERNATIONAL, INC., and THE RITZ-CARLTON HOTEL COMPANY, L.L.C., knew or in the exercise of ordinary care should have known that the shower and shower area provided in Plaintiff EUGENE I. PAVALON's room at The Ritz-Carlton Herzliya did not contain any shower mat or nonskid surface, and was unsafe for those attempting to use the shower. The Defendants further failed to warn the Plaintiff of the existence of this unreasonably dangerous condition.

11. The Plaintiff, EUGENE I. PAVALON, did not have knowledge of the dangerous condition, nor could he have reasonably been expected to discover it. The Plaintiff's conduct at the time in question was at all times reasonable and prudent, and nothing about his conduct caused or contributed to the incident.

12. The Defendants, MARRIOTT INTERNATIONAL, INC., and THE RITZ-CARLTON HOTEL COMPANY, L.L.C., breached the duties they owed to the Plaintiff, EUGENE I. PAVALON, and were negligent in the following respects:

- a. Providing a faulty and unsafe design and/or construction of the shower and shower area where the Plaintiff's injuries occurred;
- b. Failed to provide warning to the Plaintiff of the dangerous condition of the shower and shower area;

- c. Failed to properly inspect and maintain the area in question to discover the dangerous condition; and
- d. Failed to maintain its shower and shower area in accordance with industry standards.

13. As a direct and proximate result of one or more of the aforesaid negligent acts and/or omissions of the Defendants, MARRIOTT INTERNATIONAL, INC., and THE RITZ-CARLTON HOTEL COMPANY, L.L.C., the Plaintiff, EUGENE I. PAVALON, has sustained serious, painful, and permanent injuries and disabilities to his head, shoulder, hip, and femur, resulting in multiple operations and extensive rehabilitation to this day.

14. As a further result of the injuries described above, the Plaintiff, EUGENE I. PAVALON, has incurred medical expenses, is continuing to incur such expenses, and, in reasonable probability, will continue to incur such expenses in the future.

WHEREFORE, the Plaintiff, EUGENE I. PAVALON, asks for judgment against the Defendants, MARRIOTT INTERNATIONAL, INC., and THE RITZ-CARLTON HOTEL COMPANY, L.L.C., for pecuniary injuries, in a fair and reasonable amount in excess of Fifty Thousand Dollars (\$50,000), plus costs of this action.

Count II  
(Loss of Consortium)

NOW COMES the Plaintiff, LOIS PAVALON, by her attorneys, PAVALON & GIFFORD and HARRY C. LEE, and complaining of the Defendants, MARRIOTT INTERNATIONAL, INC., and THE RITZ-CARLTON HOTEL COMPANY, L.L.C., states as follows:


1. The Plaintiff, LOIS PAVALON, is a resident of the City of Chicago, County of Cook, State of Illinois. She is now and at all times has been lawfully wedded to the Plaintiff, EUGENE I. PAVALON, and is now and was living and consorting with him at all relevant times herein.

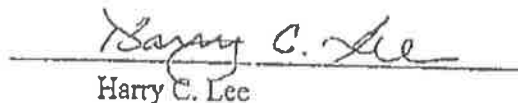
2-14. The plaintiff, LOIS PAVALON, realleges paragraphs 2 through 14 of Count I herein as paragraphs 2 through 14 of this Count II.

15. As a result of the negligence of the Defendants, MARRIOTT INTERNATIONAL, INC., and THE RITZ-CARLTON HOTEL COMPANY, L.L.C., and the injuries sustained therefrom by her husband, the Plaintiff, EUGENE I. PAVALON, the Plaintiff, LOIS PAVALON, has lost the care, support, services and consortium of her husband and has been damaged in a sum to be determined.

WHEREFORE, the Plaintiff, LOIS PAVALON, asks for judgment against the Defendants, MARRIOTT INTERNATIONAL, INC., and THE RITZ-CARLTON HOTEL COMPANY, L.L.C., in a fair and reasonable amount in excess of Fifty Thousand Dollars (\$50,000), plus costs of this action.

PLAINTIFFS DEMAND TRIAL BY JURY

  
Geoffrey L. Gifford

  
Harry C. Lee

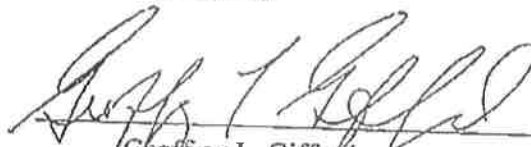
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STATE OF ILLINOIS     )  
                                  )     SS  
COUNTY OF COOK     )

**AFFIDAVIT PURSUANT TO SUPREME COURT RULE 222(B)**

The undersigned attorney, Geoffrey L. Gifford, having been duly sworn on oath, deposes and states that he represents the Plaintiffs in the above-captioned matter and that the money damages being sought exceeds Fifty Thousand Dollars (\$50,000).

  
Geoffrey L. Gifford

Subscribed and Sworn to before me this 27 day of Sept, 2016

  
\_\_\_\_\_  
Notary Public

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JURY DEMAND

Now comes Plaintiffs, EUGENE I. PAVALON and LOIS PAVALON, by and through  
their attorneys, PAVALON & GIFFORD, and hereby demand a trial by jury.

  
GEOFFREY L. GIFFORD

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